

was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 14, 1919, an order of the court was entered directing that the 13 cases be consolidated for the purposes of adjudication, and on the same date, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal, and the proceeds of said sale, less the legal costs and charges, be deposited in the Treasury of the United States.

E. D. BALL, *Acting Secretary of Agriculture.*

7460. Misbranding of Black-Caps. U. S. * * * v. 4 Dozen and 17 Dozen Packages of Black-Caps. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10460, 10461. I. S. Nos. 15663-r, 15666-r. S. Nos. E-1455, E-1456.)

On May 26, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels for the seizure and condemnation of 4 dozen and 17 dozen packages of Black-Caps, at Washington, D. C., alleging that the article had been shipped on or about October 28, 1918, by Samuel D. Clapp, New York, N. Y., and on or about April 14, 1919, by the Black Drug Co., Brooklyn, N. Y., respectively, and transported from the State of New York into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On package) "Black-Caps. For the Treatment of Gonorrhœa, Urethritis, Cystitis and other inflammatory conditions of the Urinary Tract. * * *;" (in circular) "For the Treatment of Inflammatory Affections of the Genito-Urinary Organs * * * stimulant to the mucous membranes, especially of the Genito-Urinary tract, * * * the component drugs entering into this prescription as primarily among the best drugs we possess in the treatment of specific Urethritis (simple Gonorrhœa), * * * chronic Cystitis (inflammation of the bladder), resulting from Gonorrhœa, Leucorrhœa, Vaginal Gonorrhœa, subacute and chronic Pyelitis, atonic impotence. * * * Prostatic abscess, chronic inflammation of the vesical neck (bladder) * * *."

Analysis of samples of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of cubebs and copaiba.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements contained in the labels and circulars were false and fraudulent in that they were, severally, statements of the curative or therapeutic effect of the article and of the ingredients and substances contained therein, which statements were false and fraudulent for the reason that the article contained no ingredients or combination of ingredients capable of producing the therapeutic effect claimed for it.

On June 18, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7461. Misbranding of Knoxit Globules and Knoxit Liquid. U. S. * * * v. 95 Bottles of Knoxit Globules and 75 Bottles of Knoxit Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10465, 10466. I. S. Nos. 2858-r, 2859-r. S. Nos. W-392, W-393.)

On or about June 6, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and